



FILE COPY

RECEIPT #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John R. Subjeck et al. Examiner: Not yet assigned  
Serial No.: 09/676,340 Group Art Unit: 1645  
Filed: September 29, 2000 Docket: G&C 126.1-US-U3  
Title: STRESS PROTEIN COMPOSITIONS AND METHODS FOR PREVENTION AND  
TREATMENT OF CANCER AND INFECTIOUS DISEASE

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on January 18, 2001.

By: 

Name: Karen S. Canady

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing under 37 CFR 1.8.
- ☒ Request for Corrected Filing Receipt and Copy of Filing Receipt.
- ☒ Return postcard.

Please consider this a **PETITION FOR EXTENSION OF TIME** for a sufficient number of months to enter these papers, if appropriate.

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

Customer Number 22462.

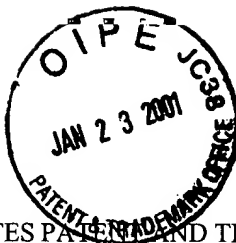
**GATES & COOPER LLP**

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, CA 90045  
(310) 641-8797

By: 

Name: Karen S. Canady  
Reg. No.: 39,927  
KSC/sjm

(PTO TRANSMITTAL - GENERAL)



Due Date: February 26, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John R. Subjeck et al. Examiner: Not yet assigned  
Serial No.: 09/676,340 Group Art Unit: 1645  
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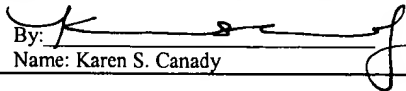
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JAN 25 2001

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**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

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By:   
Name: Karen S. Canady

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing under 37 CFR 1.8.
- ☒ Communication in Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures including Copy of Transmittal Paper and Returned-Stamped Postcard.
- ☒ Return postcard.

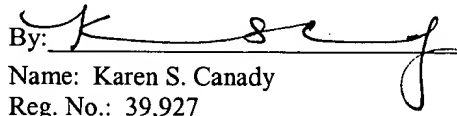
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**GATES & COOPER LLP**

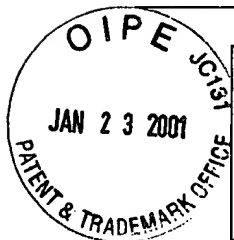
Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, CA 90045  
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By:   
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Reg. No.: 39,927  
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(PTO TRANSMITTAL - GENERAL)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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By: 

Name: Karen S. Canady

REQUEST FOR CORRECTED FILING RECEIPT

Attn: Office of Initial Patent Examination  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed is a photocopy of the filing receipt from the U.S. Patent and Trademark Office in the above-identified application showing requested corrections. The filing receipt is erroneous in the following respects as reflected in the papers originally filed on September 29, 2000.

The correction is shown in **Bold** and should read:

Under the heading "Applicant(s)":

John R. Subjeck, Williamsville, NY;  
Robert A. Henderson, Seattle, WA;  
Elizabeth A. Repasky, Williamsville, NY;  
Latif **Kazim**, Amherst, NY;  
Xiang-Yang Wang, Buffalo, NY.

Under the heading "Continuing Data as Claimed by Applicant":

THIS APPLN CLAIMS BENEFIT OF 60/156,821, 09/30/1999  
**AND** 60/163,168 11/02/1999  
**AND** 60/215,497 06/30/2000

In the title:

STRESS PROTEIN COMPOSITIONS AND METHODS **FOR** PREVENTION AND  
TREATMENT OF CANCER AND INFECTIOUS DISEASE

Correction of the records of the U.S. Patent and Trademark Office and issuance of a  
corrected filing receipt are respectfully solicited.

Respectfully submitted,

John R. Subjeck et al.

By their attorneys,

GATES & COOPER LLP  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: January 18, 2001

By: 

Name: Karen S. Canady  
Reg. No.: 39,927  
KSC/sjm



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/676,340	09/29/2000	1645	1608	126.1-US-U3	38	45	9

22462

GATES AND COOPER  
HOWARD HUGHES CENTER  
6701 CENTER DRIVE WEST SUITE 1050  
LOS ANGELES, CA 90045



## FILING RECEIPT



\*OC000000005638076\*

Date Mailed: 12/26/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

John R. Subject, Williamsville, NY ;  
Robert A. Henderson, Seattle, WA ;  
Elizabeth A. Repasky, Williamsville, NY ;  
Latif Kazim, Amherst, NY ;  
Xiang-Yang Wang, Buffalo, NY ;

Kazim

## Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/156,821 09/30/1999  
AND WHICH CLAIMS BENEFIT OF 60/163,168 11/02/1999  
AND WHICH CLAIMS BENEFIT OF 60/215,497 06/30/2000

## Foreign Applications

If Required, Foreign Filing License Granted 12/25/2000

## Title

Stress protein compositions and methods of prevention and treatment of cancer and infectious disease

for

## Preliminary Class

530

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Data entry by : DAVENPORT, BOBBIE

Team : OIPE

Date: 12/26/2000

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies; particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

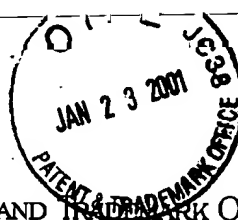




UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/676,340	09/29/2000	John R. Subject	126.1-US-U3

22462  
GATES AND COOPER  
HOWARD HUGHES CENTER  
6701 CENTER DRIVE WEST SUITE 1050  
LOS ANGELES, CA 90045

FORMALITIES LETTER



\*OC000000005638077\*

Date Mailed: 12/26/2000

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):
  - Applicant must provide:
    - A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
  - - For Technical Assistance, call (703) 287-0200
  - - To Purchase PatentIn Software, call (703) 306-2600

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John R. Subjeck, Robert A. Henderson, Elizabeth A. Repasky, Latif Kazim, and Xiang-Yang Wang

Docket: 126.1-US-U3

Title: STRESS PROTEIN COMPOSITIONS AND METHODS FOR PREVENTION AND TREATMENT OF CANCER AND INFECTIOUS DISEASE

RECEIVED

JAN 25 2001

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL540750195US

Date of Deposit: September 29, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: *Isabell Ogata*  
Name: Isabell Ogata

TECH CENTER 1600/2000

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231



Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate Of Mailing Under 37 CFR 1.10.
- ☒ Utility Patent Application: Spec. 70 pgs; 45 claims; Abstract 1 pg(s).  
The fee has been calculated as shown below in the "Claims as Filed" table.
- ☒ 38 sheets of Drawings.
- ☒ Two signed Combined Declaration and Power of Attorneys (8 pages).
- ☒ Assignment of the invention by co-inventors John R. Subjeck, Elizabeth A. Repasky, Latif Kazim, and Xiang-Yang Wang to Health Research, Inc., Recordation Form Cover Sheet
- ☒ Assignment of the invention by co-inventor Robert A. Henderson to Corixa Corporation, Recordation Form Cover Sheet.
- ☒ PTO-2038 Credit Card Payment Form for the amount of \$1,608.00 to cover the Filing Fee
- ☒ PTO-2038 Credit Card Payment Form for the amount of \$80.00 to cover the two (2) Assignment Recordation Fees.
- ☒ Computer readable and paper form of SEQUENCE LISTING. Applicants state that the paper copy form of the SEQUENCE LISTING section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government. The name of the U.S. Government agency and the U.S. Government contract number are: National Institutes of Health, Grant No. GM 45994.
- ☒ Return postcard

**CLAIMS AS FILED**

Number of Claims Filed	In Excess of:	Number Extra	Rate	Fee
<b>Basic Filing Fee</b>				\$690.00
<b>Total Claims</b>				
45	20	25	x \$18.00	= \$450.00
<b>Independent Claims</b>				
9	3	6	x \$78.00	= \$468.00
<b>MULTIPLE DEPENDENT CLAIM FEE</b>				\$0.00
<b>TOTAL FILING FEE</b>				<b>\$1,608.00</b>

(PTO TRANSMITTAL - NEW FILING)

EL540750195US

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JAN 25 2001

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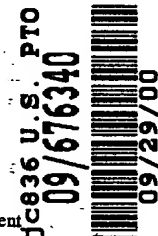
Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:  
Applicant: John R. Subjeck, Robert A. Henderson, Elizabeth A. Repasky, Latif Kazim, and Xiang-Yang Wang  
Title: STRESS PROTEIN COMPOSITIONS AND METHODS FOR PREVENTION AND TREATMENT OF  
CANCER AND INFECTIOUS DISEASE

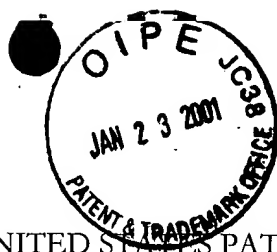
Docket: 126.1-US-U3

Express Mail No.: EL540750195US Date of Deposit: September 29, 2000

- ☒ Transmittal sheet, in duplicate, containing Certificate Of Mailing Under 37 CFR 1.10.
- ☒ Utility Patent Application: Spec. 70 pgs; 45 claims; Abstract 1 pg(s).
- ☒ 38 sheets of Drawings
- ☒ Two signed Combined Declaration and Power of Attorneys (8 pages).
- ☒ Assignment of the invention to Health Research, Inc., Recordation Form Cover Sheet.
- ☒ Assignment of the invention to Corixa Corporation, Recordation Form Cover Sheet.
- ☒ PTO-2038 Credit Card Payment Form for the amount of \$1,608.00 to cover the Filing Fee
- ☒ PTO-2038 Credit Card Payment Form for the amount of \$80.00 to cover the two (2) Assignment Recordation Fee.
- ☒ Computer readable and paper form of SEQUENCE LISTING. Applicants state that the paper copy form of the SEQUENCE LISTING section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government. The name of the U.S. Government agency and the U.S. Government contract number are: National Institutes of Health, Grant No. GM 45994.
- ☒ Return postcard

KSC/fo Patent





#3

Due Date: February 26, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant: John R. Subjeck et al. Examiner: Not yet assigned  
Serial No.: 09/676,340 Group Art Unit: 1645  
Filed: September 29, 2000 Docket: G&C 126.1-US-U3  
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JAN 25 2001

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By:

Name: Karen S. Canady

COMMUNICATION IN RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR  
AMINO ACID SEQUENCE DISCLOSURES

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This Communication is being submitted in response to the Notice to Comply dated December 26, 2000, and further to a telephone conference with John Doll, Director of Biotechnology at the U.S. Patent and Trademark Office. The Notice requests Applicants to provide a statement indicating that the paper and computer-readable copies of the Sequence Listing filed with the application are the same and include no new matter.

We are enclosing a copy of the transmittal paper submitted to the U.S. Patent and Trademark Office with the above-identified patent application on September 29, 2000. The required statement is highlighted on this copy of the transmittal. We also enclose a copy of the stamped, returned postcard with the statement required highlighted thereon as well. Applicants note that materials submitted with the original filing of a patent application cannot constitute new matter.

It is our understanding that placement of the required statement on the transmittal accompanying a patent application is sufficient for compliance with 37 C.F.R. §1.821-825. If the Patent Office requires presentation of the statement in a different format, clarification of a more specific format requirement would be appreciated.

Respectfully submitted,

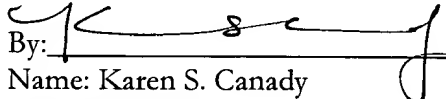
John R. Subjeck et al.

By their attorneys,

GATES & COOPER LLP

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: January 18, 2001

By:   
Name: Karen S. Canady

Reg. No.: 39,927

KSC/sjm

G&C 126.1-US-U3